



**MINUTES**  
**REGULAR COMMISSION MEETING**  
**Ed Burke Recreation Center - 11400 NE 9th Court**  
**Biscayne Park, FL 33161**  
**Tuesday, July 1, 2014 at 7:00pm**

**1 Call to Order**

Mayor David Coviello called the meeting to order at 7:09pm.

**2 Roll Call**

Mayor David Coviello - present

Vice Mayor Ross - present

Commissioner Bob Anderson - present

Commissioner Fred Jonas - present

Commissioner Barbara Watts - present

Present from staff were:

Village Manager Heidi Shafran

Village Clerk Maria C. Camara

Village Attorney John Hearn

Assistant to the Manager/Public Services Director Candido Sosa-Cruz

Finance Director Irwin Williams

Chief of Police Cornelius McKenna

Parks & Recreation Director Issa Thornell

Assistant Public Works Director Cesar Hernandez

**3 Pledge of Allegiance**

**4 Presentations**

- Florida House Representative Daphne Campbell presented a proclamation in
- 4.a remembrance of the 81st anniversary of the Village of Biscayne Park, and individual recognitions to the Mayor and each Commissioner.

- Biscayne Park Foundation Vice President Jorge Marinoni presented a recognition to
- 4.b resident Tracy Torano for her contributions to the Foundation. The presentation was given to Foundation Secretary Marie Smith in Ms. Torano's absence.

- Proclamation - July is Parks and Recreation Month, was presented to Issa Thornell,
- 4.c Parks & Recreation Director for the Village of Biscayne Park.

**5 Additions, Deletions or Withdrawals to the Agenda**

Commissioner Watts postpones item 12.c under New Business to the August meeting.

**6 Public Comments Related to Agenda Items / Good & Welfare**

Tracy Truppmann: Thanks the Commission for their hard work in getting the \$1 million appropriation. Thanks Vice Mayor Ross for bringing forward item 12.g, *amicus curiae* brief in support of marriage equality.

Chuck Ross: Supports item 12.g, support of marriage equality. If the attorney costs are too high, suggests instead to draft a resolution to support Miami Beach. Welcomes Chief McKenna and invites the Chief to the next Crime Watch meeting. Thanks Representative Campbell for her efforts, as well as staff, Mayor and Commissioners to achieve the \$1 million appropriation. On item 12.d, funding tuition cost, reminds the Commission of Vice Mayor Ross' item brought up in the past in regards to an expense reimbursement plan. This issue being discussed today could have been handled by that plan. Plan also provided for a tax break. Since that plan is not in place, this funding would have to come from Commissioner salary.

Janey Anderson: Trade Fair is a great idea. Great way to find out what services our neighbors provide. Good to combine with marketing campaign. We need to do better job of showcasing who we are. On item 12.d, funding tuition cost, even though there is surplus today, there might not be tomorrow. Even if we do, why spend on non-essential item.

Dale Blanton: Supports Vice Mayor Ross' item on support of marriage equality. Looks for the day when he can be married in the State of Florida.

Maria Barnes - Deputy Director of SAVE. Asks the Village to take a stand on marriage equality.

Brian McNoldy: Thanks to everyone who was involved in acquiring funding for cabin. Welcomes the new Chief. Supports marriage equality.

**7 Information / Updates**

7.a Assistant to the Manager Candido Sosa- Cruz provided a Sanitation services transition update: Mailer was sent out to all property owners asking for preferred garbage collection location and size recycling cart, 65 gallon or 35 gallon. Survey is also available online.

Mr. Sosa-Cruz also provided samples of color swatches for the recycling carts. After discussion, the consensus was to select ROC DARK GREEN.

7.b Finance Director Irwin Williams provided the monthly financials for the month ending May 31, 2014.

## **8 Consent Agenda**

### **8.a Approval of Minutes**

June 3, 2014 Regular Commission Meeting

### **8.b Acceptance of Board Minutes**

Planning & Zoning Board - April 21, 2014

Planning & Zoning Board - May 19, 2014

Planning & Zoning Board - June 2, 2014

Planning & Zoning Board - June 16, 2014

Code Compliance Board - June 10, 2014

### **8.c Resolution 2014-44**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA; **AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT BETWEEN DRISHTI PLISKE AND THE VILLAGE OF BISCAYNE PARK FOR THE PROVISION OF EXERCISE CLASSES** AT THE ED BURKE RECREATION CENTER; PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Ross makes a motion to approve the consent agenda and it is seconded by Commissioner Anderson.

All in favor: Mayor Coviello, Vice Mayor Ross, Commissioner Anderson, Commissioner Jonas and Commissioner Watts.

Opposed: None

Motion carries: 5/0

## **9 Ordinances**

### **FIRST READING:**

#### **9.a Ordinance 2014-05**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AMENDING CHAPTER 10, OF THE LAND DEVELOPMENT CODE ENTITLED "DESIGN AND IMPROVEMENT STANDARDS", RELATIVE TO ROOFING**; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

Attorney Hearn read the title and background.

Mayor Coviello opened the meeting to public comment on this ordinance.

Harvey Bilt: Long time coming. Confirms it is for standing seam only.

Barbara Kuhl: In favor of ordinance. Some of the language is confusing. Issue with homes in the Village with asphalt roofs. The way this is worded, what happens with homes that have no overhang? States roof material from now on is tile or metal. There is tremendous burden to follow the way it is worded to repair or replace if you currently have asphalt. No provision to allow to continue with the asphalt roof. An important issue. Take your time to understand this and not push it through. Should not just state "homes" in the Village, should be "buildings" or "structures". Also stated in favor of marriage equality.

Gage Hartung, Chair of Code Review Board, also provided background.

After discussion, there is consensus to rephrase the language to allow replacement of existing asphalt if engineer's report states it cannot support tile; and to add language to allow Village Hall log cabin to replace with wood shingles.

Vice Mayor Ross makes a motion to approve Ordinance 2014-05 at first reading with the changes discussed and agreed on and it is seconded by Commissioner Jonas.

All in favor: Mayor Coviello, Vice Mayor Ross, Commissioner Anderson, Commissioner Jonas and Commissioner Watts.

Opposed: None

Motion carries: 5/0

## **SECOND READING:**

### **9.b Ordinance 2014-04**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AMENDING CHAPTER 3, ENTITLED "ANIMALS" RELATIVE TO DOGS AND CITY-SPONSORED EVENTS**; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

Attorney Hearn read the title.

Mayor Coviello opened the meeting for public comment and there were none.

Commissioner Anderson makes a motion to approve Ordinance 2014-04 at second reading and it is seconded by Commissioner Watts.

All in favor: Mayor Coviello, Vice Mayor Ross, Commissioner Anderson, and Commissioner Watts.

Opposed: Commissioner Jonas

Motion carries: 4/1

## **10 Resolutions**

*< None >*

## **11 Old Business**

*< None >*

- 12.a Fine Reduction Request (845 NE 119th Street): Assistant to the Manager Sosa-Cruz provided the background on the request from Mr. Mike Tomany for a fine reduction for a municipal lien and unpaid waste fees, due to the Village providing different amounts owed on two separate lien searches.

Manager Shafran: Currently drafting an internal policy on the procedures for lien searches.

Vice Mayor Ross makes a motion to reduce the fine to the original amount of \$952.67 for unpaid waste fees plus \$212.27 for the original amount of a municipal lien, and it is seconded by Commissioner Anderson.

All in favor: Mayor Coviello, Vice Mayor Ross, Commissioner Anderson, Commissioner Jonas and Commissioner Watts.

Opposed: None

Motion carries: 5/0

- 12.g Joining City of Miami Beach *amicus curiae* brief in support of marriage equality.

Vice Mayor Ross provided the background and Attorney Hearn explained the options.

Vice Mayor Ross makes a motion to draft and adopt a resolution in support of the issue and it is seconded by Commissioner Watts.

All in favor: Mayor Coviello, Vice Mayor Ross, Commissioner Anderson, Commissioner Jonas and Commissioner Watts.

Opposed: None

Motion carries: 5/0

Vice Mayor Ross makes a motion to instruct Attorney Hearn to submit a court filing on behalf of the Village as part of the *amicus curiae* brief, and it is seconded by Commissioner Anderson.

All in favor: Mayor Coviello, Vice Mayor Ross, Commissioner Anderson, Commissioner Jonas and Commissioner Watts.

Opposed: None

Motion carries: 5/0

- 12.b Discussion on holding a Trade Fair for home based businesses and resident owned businesses.

Vice Mayor Ross provided the background.

Manager Shafran confirmed that budget funds should not be used, rather that the event is funded through participant registration fees.

Commissioner Anderson makes a motion to move forward to schedule a Trade Fair in the Village and it is seconded by Vice Mayor Ross.

All in favor: Mayor Coviello, Vice Mayor Ross, Commissioner Anderson, Commissioner Jonas and Commissioner Watts.

Opposed: None  
Motion carries: 5/0

12.d Funding for tuition cost for Commissioner Watts to attend the Good Government Initiative.

Commissioner Watts provided the background. Of the \$1,750 tuition, a discount was provided and \$500 has been paid by Commissioner Watts leaving a balance of \$1,000.

After discussion, consensus that no additional Village funds will be approved for this request.

12.e Discussion on changes to Ordinance 2013-06 (AMENDING CHAPTER 7 OF THE VILLAGE'S LAND DEVELOPMENT CODE, ENTITLED "RECREATION AND OPEN SPACE", TO PROVIDE REGULATIONS FOR COMMERCIAL AND RECREATIONAL VEHICLES).

Assistant to the Manager Sosa-Cruz provided the background. Recommends removing "where required by State Statute".

Attorney Hearn will need to clarify what is the legislative intent, and bring back with the correct language.

Vice Mayor Ross recommends "must be" instead of "shall".

Commissioner Anderson confirms registration is filed at Village Hall.

After discussion, consensus to direct Attorney Hearn to draft an ordinance for first reading.

12.f Discussion on branding/marketing of the Village.

Mayor Coviello provided the background.

Manager Shafran confirms there is funding available in the Commission budget.

Item will be brought back for further discussion with a report from Chief McKenna if having the vehicle magnets could pose a security/safety issue.

**13 Request for Placement of Items on Next Meeting Agenda**

*< None >*

**14 Reports**

14.a Village Manager

- ◆ Request for Village participation in Citizens' Crime Watch of Miami Dade County event. Manager Shafran confirms there is \$1,200 available in the Police Budget.

Consensus to allow staff to coordinate.

- ◆ Biscayne Park Foundation Meeting on June 9, 2014: The Foundation is looking for a liaison between the Commission and the Foundation.

After discussion, consensus to appoint Manager Shafran as the liaison.

Log cabin restoration update: Manager Shafran has been in communication with the State, Department of Economic Opportunity. Working on a tight timeline. Critical that all deadlines are met. Thanks Commissioner Anderson for providing all the documentation from the prior drawings done. In regards to working with residents

- ◆ that have architectural or design experience, better to create an informal working group of residents, instead of a formal board. Working with Chief McKenna on relocating the Police Department to the Public Works building. Have received the historic building assessment and will have the architect provide a presentation at the August meeting.

- ◆ Personnel Changes: Manager Shafran announced that Assistant to the Manager Sosa-Cruz has accepted a position with a neighboring municipality. His last day is July 11th. Thanks him for his service to the Village and wishes him well.

Manager Shafran intends to under fill the existing position and looks to create a Public Services Coordinator position.

Mayor Coviello asks that discussion on this position is added to the July 17th Special Commission meeting, but confirms to proceed with position announcement.

Entire Commission thanks Assistant to the Manager Sosa-Cruz for his service and wishes him much success.

- ◆ Annexation Update: Manager Shafran reported that communication received from the County on our application, and that the Village is deficient on two items which is currently being worked on:

- To show that the proposed annexation area does not create an enclave.
- A petition of 20% of the residents in the proposed annexation area agree with the annexation application. Will require to hold a public meeting in the area.

#### 14.b Village Attorney

Investigation on police department should be concluded by next week and looks to receive the completed report by the end of next week or earlier. Will communicate to Commission when received.

Recommends that during the changes to code on boat registrations, to suspend enforcement until it is resolved.

Commissioner Watts: Residents can give a donation for the employees from the Sanitation Division that are leaving. Checks can be made payable to the Biscayne Park Foundation and delivered to Village Hall. The amount collected will be divided among the four employees.

14.c Board / Committee Reports

< None >

15 **Announcements**

Wednesday, July 2nd - Code Review Board at 7:00pm  
Friday, July 4th - All Village Departments are closed for Fourth of July Holiday  
Friday, July 4th - Bark of July from 4:00pm to 7:00pm  
Monday, July 7th - Planning & Zoning at 6:30pm  
Tuesday, July 8th - Code Compliance Board at 7:00pm  
Wednesday, July 9th - Public Art Advisory Board at 6:00pm  
Wednesday, July 16th - Parks & Parkway Advisory Board at 6:00pm  
Thursday, July 17th - Special Commission Meeting at 6:30pm  
Monday, July 21st - Planning & Zoning Board at 6:30pm  
Tuesday, July 22nd - Recreation Advisory Board at 7:00pm

The next regular commission meeting is Tuesday, August 5, 2014, at 7:00pm.

16 **Adjournment**

The meeting was adjourned at 10:33pm.

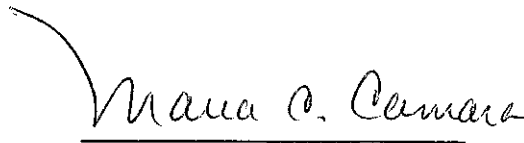
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Commission approved on \_\_\_\_\_.

Attest:



David Coviello, Mayor



Maria Camara, Village Clerk